



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Jeong Sik Lee

Serial No. : 10/829,251

Group Art Unit : 3765

Filed : April 22, 2004

Examiner : Kauffman, Brian K

For : Sweatband using mono filament yarn for a cap

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDEMNT

Honorable Commissioner for Patents

June 21, 2005

P.O.Box 1450

Alexandria, VA 22313-1450

Sir :

Transmitted herewith is an Amendment including markings.

Respectfully submitted,

By : 

Boo Yl Park/CEO of DADA Corp.

On behalf of Inventor Jeong Chul Kwon  
& Assignee DADA Corp.

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**Notice of Non-Compliant Amendment (37 CFR 1.121)**



Application No.

10/829,251

Examiner

Brian K Kauffman

Applicant(s)

LEE, JEONG SIK

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 February 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
  - ☒ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Amended claims do not include markings.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3765

Inventor: Jeong Sik Lee

Filed Date: April 2, 2004

Serial Number: 10/829,251

Examiner: KAUFMAN, BRIAN K

The Honorable Commissioner for Patent

**Request to Notice of Non-Compliant Amendment**

**Dear Mr. Kaufman Brian K,**

We received Notice of Non-Compliant Amendment on May 2, 2005. And the mail date of this notice is April 20, 2005. As you see, we lost the chance to respond to the notice and to submit Extension of time. Although it only could be the individual circumstances, we petition the examiner for giving us the chance to respond or Extension of time because of the below reason.

**Geographic Circumstances and Air-Mail Delivery time**

Our company is located in Seoul, South Korea and our domestic representative is living in New Jersey. We receive all kinds of mails of USPTO through him (our domestic representative). Sometimes it happens when we receive a Notice, which has already expired. This makes us really embarrassed especially short-term Notices limited to one month (thirty days) or less. Moreover, we received the short-term Notices before expiration, there is not enough time to prepare appropriate response because we should give consideration to Air-Mail Delivery time from Seoul to USPTO.

We know our circumstances can't be the exception but we hope the examiner please reconsiders from the point of us.

We are waiting for your positive and kind reply and we look forward to chance to respond to the note.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Peter Jeong', is written over a horizontal line.

Peter Jeong / on behalf of  
Inventor & Assignee

Tel. 82-2-559-9053  
vilgilio@e-dada.com

May 31, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Jeong, Sik Lee

Serial No. : 10/829,251

Group Art Unit : 3765

Filed : April 22, 2004

Examiner : Kauffman, Brian K

For : Sweatband using mono filament yarn for a cap

AMENDMENT

Honorable Commissioner for Patents

February 1, 2005

P.O.Box 1450

Alexandria, VA 22313-1450

Sir :

Responsive to the Office Action mailed October 14<sup>th</sup>, 2004.  
kindly enter the following amendments ad remarks.

SPECIFICATION :

The specification is objected to because it is replete with  
terms, which are not clear, concise and exact.

Please amend the specification as follows :